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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,349	09/30/2003	William E. Mazzara JR.	GP-304028 2760/134	5776
60770 7590 01/12/2011 General Motors Corporation c/o REISING ETHINGTON P.C. P.O. BOX 4390 TROY, MI 48099-4390				
EXAMINER PHUONG, DAI				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/675,349

**Applicant(s)**

MAZZARA, WILLIAM E.

**Examiner**

DAI A. PHUONG

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 November 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 5, 6, 8, 21-23, 26, 28 and 29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-6, 8, 21-23, 26 and 28-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Continued Examination Under 37 CFR 1.114**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/22/2010 has been entered.

### **Response to Argument**

2. Applicant's arguments, filed 11/22/2010, with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

The Examiner respectfully notes that the scope of independent claims 1 and 21 have been changed as the Applicant currently amends the claims by adding newly limitations. Therefore, the Examiner now relies on a new reference, Dewa (U.S. 7308508), for the teachings of the newly added limitations.

### **Claim Rejections - 35 USC § 112**

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1 and 21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant

art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

5. Claims 1 and 21 recites “wherein the digital signal transmitted to the computer-end recipient and the formulated response are each compressed at different compression ratios based on whether the digital signal or formulated response is audibly played in a vehicle” and “compressing the digital signal at a particular compression ratio that is establish for transmitting voice queries that are not audibly reproduced; and compressing the at least one response at a compression ratio that is establish for audible playback in the vehicle, which is less than the particular compression ratio” respectively (See amendment filed 11/22/2010). This is matter not found in the specification as filed; therefore, it lacks support in the original disclosure.

Claims 2-3, 5-6, 8, 22-23, 26 and 28-29 are also rejected because the claims are dependent directly or indirectly on claims 1 and 21. See MPEP 706.03(o).

#### **Claim Rejections - 35 USC § 103**

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3, 5-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odinak (Pub. No: 20020143645) hereinafter Odinak 645 in view of Odinak (Pub. No: 20020141547) hereinafter Odinak 547 and further in view of Dewa (U.S. 7308508).

Regarding claim 1, Odinak 645 discloses a method for responding to digital vehicle requests, the method comprising:

receiving a voice query at a telematics unit 26 in a vehicle 24 ( fig. 1, [0022] and [0027] to [0028]. The user utters or says the keyword or phrase, e.g., “Purchase” or “song information”);

converting the voice query to a signal ( fig. 1, [0022] and [0027] to [0028]. The telematic control unit 26 digitized the receiving words and sends to the server);

wherein transmitting the signal from the telematics unit 26 to a computer-end recipient at a call center node in communication with an information database, wherein the signal is sent to the computer-end recipient at the call center node via a digital packet data protocol over a wireless network ( fig. 1, [0022] and [0027] to [0028]. The telematic control unit 26 digitized the receiving words and sends to the server via the network 12 and gateway 14);

extracting a computer-readable command from the digital signal (fig. 1, [0022] and [0027] to [0028] The telematic control unit 26 digitized the receiving words and sends to the server via the network 12 and gateway 14. The server processes the request by contacting the CD company);

executing the extracted computer-readable command at the call center node (fig. 1, [0022] and [0027] to [0028] The telematic control unit 26 digitized the receiving words and sends to the server via the network 12 and gateway 14. The server processes (extracting and executing the request) the request by contacting the CD company);

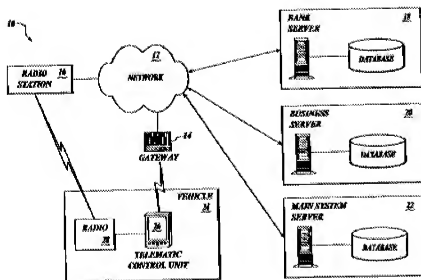
accessing the information database based on the computer-readable command (fig. 1, [0022] and [0027] to [0028] The telematic control unit 26 digitized the receiving words and

sends to the server via the network 12 and gateway 14. The server processes (extracting and executing the request) the request by contacting the CD company);

formulating at least one response to the computer-readable command using the computer-end recipient (fig. 1, [0022] and [0027] to [0028] The telematic control unit 26 digitized the receiving words and sends to the server via the network 12 and gateway 14. The server processes (extracting and executing the request) the request by contacting the CD company);

transmitting the at least one formulated response format via the digital packet data protocol over the wireless network to the telematics unit (fig. 1, [0022] and [0027] to [0028]. The telematic unit verbally or display a confirmation); and

translating the at least one formulated response to an analog format for playback in the vehicle (fig. 1, [0022] and [0027] to [0028]. The telematic unit verbally or display a confirmation).



However, Odinak 645 does not specifically disclose converting the voice query to a digital signal, protocol over the wireless network to the telematics unit, wherein the digital signal transmitted to the computer-end recipient and the formulated response are each compressed at different compression ratios based on whether the digital signal or formulated response is audibly played in a vehicle.

In the same field of endeavor, Odinak 547 discloses converting the voice query to a digital signal ([0024] to [0028]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Odinak 645 by specifically including converting the voice query to a digital signal, as taught by Odinak 547, the motivation being in order to transmit voice input from a remote location over a wireless communication system.

However, the combination of Odinak 645 and Odinak 547 do not specifically disclose wherein the digital signal transmitted to the computer-end recipient and the formulated response are each compressed at different compression ratios based on whether the digital signal or formulated response is audibly played in a vehicle.

In the same field of endeavor, Dewa discloses wherein the digital signal transmitted to the computer-end recipient and the formulated response are each compressed at different compression ratios based on whether the digital signal or formulated response is audibly (analog signal) played in a vehicle (col. 1, lines 21-31).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Odinak 645 by specifically including wherein the digital signal transmitted to the computer-end recipient and the formulated response are each compressed at different compression ratios based on whether the digital signal or formulated response is audibly played in a vehicle, as taught by Dewa, the motivation being in order to save resources.

Regarding claim 2, the combination of Odinak 645, Odinak 547 and Dewa disclose all the limitations in claim 1. Further, Odinak 645 discloses the method further comprising: optimizing the telematics unit for transmission of the voice query to a computer call center node (fig. 1, [0022] and [0027] to [0028]).

Regarding claim 3, the combination of Odinak 645, Odinak 547 and Dewa disclose all the limitations in claim 1. Further, Odinak 547 discloses the method the method further comprising: filtering the received voice query before converting it to the digital signal ([0024] to [0028]).

Regarding claim 5, the combination of Odinak 645, Odinak 547 and Dewa disclose all the limitations in claim 1. Further, Odinak 645 discloses the method the method further comprising: transmitting the signal to the call center using a cellular packet data connection (fig. 1, [0022]).

Regarding claim 6, the combination of Odinak 645, Odinak 547 and Dewa disclose all the limitations in claim 1. Further, Odinak 547 discloses the method further wherein transmitting the at least one formulated response via the digital packet data protocol over the wireless



network to the telematics unit comprises: transmitting the at least one formulated response in a digital streaming audio format ([0024] to [0028]).

Regarding claim 8, the combination of Odinak 645, Odinak 547 and Dewa disclose all the limitations in claim 1. Further, Odinak 645 discloses the method further wherein transmitting information via the wireless network further comprises transmitting information via an Internet protocol (fig. 1, [0024]).

8. Claims 21-23, 26 and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odinak (Pub. No: 20020143645) hereinafter Odinak 645 in view of Odinak (Pub. No: 20020141547) hereinafter Odinak 547 and further in view of Dewa (U.S. 7308508).

Regarding claim 21, Odinak 645 discloses a method for responding to digital vehicle requests, comprising step of:

receiving a voice query at a telematics unit 26 in a vehicle 24 ( fig. 1, [0022] and [0027] to [0028]. The user utters or says the keyword or phrase, e.g., “Purchase” or “song information”);

converting the voice query to a signal ( fig. 1, [0022] and [0027] to [0028]. The telematic control unit 26 digitized the receiving words and sends to the server);

transmitting the signal from the telematics unit 26 to a remote computer-end recipient via a digital cellular packet data protocol ( fig. 1, [0022] and [0027] to [0028]. The telematic control unit 26 digitized the receiving words and sends to the server via the network 12 and gateway 14);

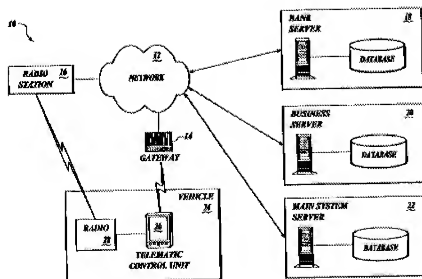
parsing the digital signal from using the computer-end recipient to determine an inquiry (fig. 1, [0022] and [0027] to [0028] The telematic control unit 26 digitized the receiving words

and sends to the server via the network 12 and gateway 14. The server processes (parsing) the request by contacting the CD company);

formulating at least one response to the inquiry (fig. 1, [0022] and [0027] to [0028] The telematic control unit 26 digitized the receiving words and sends to the server via the network 12 and gateway 14. The server processes (extracting and executing the request) the request by contacting the CD company);

receiving a transmission of the at least one formulated response at the telematic unit via the digital cellular packet data protocol (fig. 1, [0022] and [0027] to [0028]). The telematic unit verbally or display a confirmation); and

presenting the at least one formulated response (fig. 1, [0022] and [0027] to [0028]). The telematic unit verbally or display a confirmation).



However, Odinak 645 does not specifically disclose converting the voice query to a digital signal; and compressing the digital signal at a particular compression ratio that is establish

for transmitting voice queries that are not audibly reproduced; and compressing the at least one response at a compression ratio that is establish for audible playback in the vehicle, which is less than the particular compression ratio.

In the same field of endeavor, Odinak 547 discloses converting the voice query to a digital signal ([0024] to [0028]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Odinak 645 by specifically including converting the voice query to a digital signal, as taught by Odinak 547, the motivation being in order to transmit voice input from a remote location over a wireless communication system.

However, the combination of Odinak 645 and Odinak 547 do not disclose compressing the digital signal at a particular compression ratio that is establish for transmitting voice queries that are not audibly reproduced; and compressing the at least one response at a compression ratio that is establish for audible playback in the vehicle, which is less than the particular compression ratio.

In the same field of endeavor, Dewa discloses compressing the digital signal at a particular compression ratio that is establish for transmitting voice queries that are not audibly reproduced; and compressing the at least one response at a compression ratio which is less than the particular compression ratio (col. 1, lines 21-31).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Odinak 645 by specifically including

compressing the digital signal at a particular compression ratio that is establish for transmitting voice queries that are not audibly reproduced; and compressing the at least one response at a compression ratio that is establish for audible playback in the vehicle, which is less than the particular compression ratio, as taught by Dewa, the motivation being in order to save resources.

Regarding claim 22, the combination of Odinak 645, Odinak 547 and Dewa disclose all the limitations in claim 21. Further, Odinak 645 discloses the method further wherein the digital cellular packet data protocol is the digital cellular 3G packet data protocol (fig. 41, [0018] to [0024]).

Regarding claim 23, the combination of Odinak 645, Odinak 547 and Dewa disclose all the limitations in claim 21. Further, Odinak 547 discloses the method further wherein the step of transmitting the digital signal to a remote computer-end recipient via a digital cellular packet data protocol, further comprises transmitting the digital signal via a digital streaming audio format ([0024] to [0028]).

Regarding claim 26, the combination of Odinak 645, Odinak 547 and Dewa disclose all the limitations in claim 21. Further, Smith discloses wherein the digital signal is compressed with a compression ratio at least twice the compression ratio used to compress the at least at one response (Fig. 3, col. 4, line 20 to col. 5, line 25. VOIP applicant 30 transmits voice data a particular ratio. When it detects its bandwidth increases, the VOIP application 30 adjusts it audio compression ratio correspondingly. Likewise VOIP applicant 32 also detects its bandwidth decreases and the VOIP application 32 adjusts it audio compression ratio correspondingly. It is obvious that when the VOIP application 32 detects its bandwidth reduces, it may adjust its compression ratio less than the VOIP application 30 in order to improve the

quality of audio. While the VOIP application 30 detects its bandwidth is good or increase, it may change its compression ratio more than the compression ratio of the VOIP application 32).

Regarding claim 28, the combination of Odinak 645, Odinak 547 and Dewa disclose all the limitations in claim 21. Further, Odinak 645 discloses the method wherein the parsing step and formulating step are automated by the computer-end recipient (fig. 1, [0022] and [0027] to [0028]).

Regarding claim 29, the combination of Odinak 645, Odinak 547 and Dewa disclose all the limitations in claim 21. Further, Odinak 645 discloses the method wherein the presenting step further comprises converting the at least one formulated response to an analog signal and playing the signal as audio through at least one speaker in the vehicle (fig. 1, [0022] and [0027] to [0028]).

### **Conclusion**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAI A. PHUONG whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dai A Phuong/  
Examiner, Art Unit 2617  
Date: 1/04/2010

